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Ensigns Thomas Bullitt, Walter Stewart, John Blegg, Hancock Eustace and George Frazier, are promoted to Lieutenants.

Mr. John Edward Lomax, John Williams, Augustine Brokenborough, John Campbell, John Hall, John Lowry, John King and James Baker, are appointed Lieutenants.

Quartermaster Mordecai Buckner is appointed Ensign.

Mr. John Polson, William Dangerfield, Edward Hubbard, John Dean, Nathaniel Milner, William Fleming, Leonard Price, Nathaniel Thomson, Thomas Carter, Chas. Smith, Lee Hessins De Keyzier, George Gordon and George Weeden are appointed Ensigns.

The former Captains and Lieutenants, who are not promoted, continue in their former posts.

James Livingston, Fort-Major, is appointed Adjutant to the Virginia Regiment.

Every officer of the Virginia Regiment to provide himself, as soon as he can conveniently, with suit of Regimentals of good blue Cloath; the Coat to be faced and cuffed with scarlet, and trimmed with Silver; a scarlet waistcoat, with silver Lace; blue Breeches, and a silver-laced hat, if to be had, for Camp or Garrison duty. Besides this, each officer to provide himself with a common soldier's Dress for Detachments and Duty in the Woods.

* * * *

SEPTEMBER 18, 1755.

Lieutenant Bronaugh is promoted to be a Captain in the Virginia Regiment.

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(TO BE CONTINUED.)

Discourse of the Old Company.

(CONTINUED.)

And here first wee are in duety forced to deliver unto yo^r Lo^{ps}, that the restoring, supporting & re advancem^t of that Plantation, wee hold to bee a worke, though of great necessitie for the honour, yea and service of his Ma^{tye}, these tymes considered: yet wth all of soe extreame difficultie, that it is not to be

rashly & unadvisedly undertaken, but wth great circumspection, care, & preparacon, with assurance also of great assistance.

For not to insist much, upon the nature & greatnes of the worke, so remote from the favourers, so vicine to mighty maligners of it: and inded fitter for the power & purse of a Great Prince & State, then of private Adventure^{rs}, and those allready exhaust & tyred; the wounds w^{ch} since that great wound of the Massacre, it hath more lately receaved, from their handes whome it least beseemed, are still so wide & bleedinge, that unlesse his Ma^{tie}, and yo^r Lo^{ps} as deputed from him, shall vouchsafe to apply a soveraine hand for the healing of them, wee are resolute of opinion, that it is impossible, the Plantation carried as formerly by private persons, should either prosper or long subsist: Those woundes wee conceive are these. First the generall disreputacon of the Business (Reputation being a principall pillar of al^l great actions) & that partly by some errors, neglects & disasters, but principally by the late faction, though of a few & small Adventurers yet strongly & strangely inanimated & supported agaynst the great Body of Companie: whereof in fine also by undermining misinformacons they have wrought y^e Disolucon; & consequently lefte all, both Adventurers & Planters, in an utter uncertaynty of their Rights, Titles & Possessions: though promise was made that they should be reassured to them, w^{ch} these men have neglected to see performed.

Secondly the great discouragem^t of sundry not of the meanest both Adventurers & Planters, some of them persons, and others also of good qualitie: by whose cares & labours, together wth their friends & purses, the Plantation having formerly receaved no small encrease & benefit, to the Planters great comfort & content, (w^{ch} they have not forborne from tyme to tyme to declare): yet have they by the unjust calumnies & clamors of these men, bin continually prosecuted wth all variety of extremitie, to ye rewarding of them with evill for their good deservings, and to the dishearteniug of all other, to succeed in like care & industry.

Thirdly the present extreame povertie & consumpcon of y^e Plantacon being for want of the accustomed yearly supplies, reduced to that paucetie of men & want of all sorts well neere of necessary provision, that it cannot be restored, but wth an huge expence, no less almost then to sett up a new Plantation.

Nowe touching the disreputacon of y^e Action, and the generall dishearteninge of the Adventurers & Planters, such especially as have spared neither paynes nor expence, for ye recovering, supporting and advancing the Plantation: We humbly crave yo^r Lop^s favourable patience, though wee somewhat enlarge our selves in this place, to present in part the Injustice & greaveousnes of those wounds to the hono^{ble} minds & skillfull hands of yo^r Lop^s: Seeing that in our understandinge the curing of them by yo^r Lop^s, may be a meanes to revive agayne the generally deaded hearts of both Adventurers & Planters & to adde a new lustre & grace to y^e Action.

Amongst the many glorious workes of the late Kinge, there was none more eminent, then his Gracious enclination, together wth y^e propagation of Christian Religion, to advance & sett forward a new Plantacon in the new world, W^{ch} purpose of his continued till the last, manifested by his Ma^{ty} many publike & private speeches by divers L^{res} of his, & by his sundry Proclamacons, so that their faults are farr the greater, who, as imediatly shal be declared, did maliciously and cunningly pervert those Gracious intencons of his Ma^{ty} by scandalizing y^e Government as it then stood, as neither convenient here nor likely there to advance the prosperitie of the Colonie; and by insinuating assurances, that they themselves would manytayne that worke by better meanes. Which his Ma^{ty} conceavinge (as it was reason) they would not so boldly have promised of themselves, being so great a worke unlesse they had had both knowledge and meanes to goe thorough wth it; did also believe: & so they became y^e undertakers. And now, as it hath bin ever farr from o^r practize and agaynst o^r present desires to fall upon the persons of any men, where necessitie & justice of y^e cause doth not necessarilie require it: yet at this tyme it is impossible to cleare this pointe to yo^r Lop^s without naming some of their persons and particularizing their Actions. About six yeaes agoe, when by reason of the apparant misprosperinge of the Plantation, and the fowlnes of the Accounts here, (the then Treasurer being Governour of fflower or ffive other Companies, w^{ch} excused his neglect of attending this business,) the Governem^t of the Companie was translated from S^r Thomas Smith and Alderman Johnson, into S^r Edwin Sandis, & after into the Earle of Southampton's hands

& their deputies: it is notoriously knowne how they,* wth Cap-
 tayne Argoll and other of their friends, partly preadventure
 through discontent for being removed from their places, but
 principally through feare, (their accounts, depredacons, Piracies
 & misgovernem^t being now questioned before the Counsell and
 in the Companies Courts) perpetuall disturbed & disgraced by
 severall wayes, both to his Ma^{ty} & to the world, all the present
 proceedings of the Companie, to y^e great disheartninge of the
 Companie here, and no small disadvantage of y^e Colonie. And
 of this, and of the bad effects of it, all our bookes & memories
 are full. But yet by God's assistance, & the unwearied courage
 of the Companie; wee ridd out this storme. The next blowe, as
 wee had reason to believe, proceeding by their underhand rays-
 inge of new spiritts, drawne to disturbe us for their owne gayne
 was the bringing in of new & severall projects concerning To-
 bacco: wth was for the instant the only comoditie whereby the
 Planters mayntayned themselves, and so under colour of ad-
 vancing profit to his Ma^{ty} sometimes (as hath been before
 touched) wee were forbidden to bring in any Tobacco, some-
 times to bring in but a small quantitie, and sometimes
 comaunded to bring in all. Wth varying directions did so dis-
 tract & confound the Adventurers & Planters, that it had in a
 manner ruyned the Plantation.

Bnt yet by Gods assistance, & the constancy of y^e Companie,
 wee ridd out this storme also. The instruments in this worke
 that especiallie appeared, were the then S^r Lionell Crawfield, Mr.
 Jacob and some others: to the extreame damage of the Com-
 pany, enrichment of themselves, & deceyt of his Ma^{ty} as was at
 large expressed & offered to be proved in y^e last Parliament.
 Thirdly by the procuremen^t of that part, divers scandalous peti-
 cons agayns^t the company, in generall', & many in perticuler
 did putt us to much vexacon & trouble. But their accusacons
 were so fals, that wee also overcame this Third assault.

After this another stratagem was obtruded upon us, under pre-
 tence of friendship & love of y^e Plantation. The Earle of
 Midd[le]sex then Lo: high Treasurer of England who in respect
 of his place, was to take into his consideracon all thinges that

* That is, Sir Thoms Smythe and Alderman Johnson.

had relaçon to his Ma^{ty} revenue, did first propound to S^r Edwin Sandis, & afterwards to y^e Ea: of Southampton, y^e Lo: Cavendish & S^r Edwin Sandis together that the King, he knewe, had by S^r Thomas Smithers meanes & Alderman Johnsons, and some great friends & instruments of theirs bin strangely possessed agaynst the forme of our Governmen^t, & y^e consequences of it: & particularly that they had made such advantage by traducing y^e names of y^e Earle of Southampton and S^r Edwin Sandis, that y^e business of y^e Ptantacon fared y^e worse for their sakes. That he had already in Generall spoken wth his Ma^{ty} & assured him, that y^e whispers & relaçons of those men, had an eye to their owne safetie, and not the Colonie's good; and that thereupon the King referred the whole consideraçon of y^e Plantation, and what was best to be done, to his care. Upon this he propounded unto those before named, that y^e best way was to engage the Kinge in his care of the Plantations, and to make it, impossible for any hereafter to disturbe the Companie, as they had formerly done, was to thinke of some such meanes, whereby the profit of his Ma^{ty}, & the good of y^e Plantation, might hand in hand goe together. And to speake truth; though those he spoke wth all, were at first very unwilling to swallowe this guilded pill, as having heard of y^e stile he used in negotiating other businesses of this nature: yet he was so full of protestacons in it, ever pretending the Companies good, and wth all procured further intimaçon to y^e Earle of Southampton, that no service of his could be more acceptable to his Ma^{ty} then this now propounded: that upon these protestacons & assurance they engaged themselves to treat of a contract between his Ma^{ty} & the companies. In the making whereof, y^e said Earle of Midd. remembered not his promised care of y^e Plantations; but in truth from one degree to another, wrested us to such condicons & such a rate, as was very dammeagh to y^e Plantacons. But upon serious debate in maney & full Courts, upon the whole matter wee were resolved, considering the protection of the Colonies, & favour promised; and to be free from those frequent projects that in former tymes had soe much wronged & disturbed us, to accept an hard bargayne: conceaving that though it were not so good as wee desired, & was fitt to have bin offered; yet by it we shall be in a better case & way of benefitting the Plantations, then

formerly wee were. And so in Michaelmas terme—1622—this contract wth began to be treated of in Easter terme, was concluded by the subscription of the Earle of Middlesex his hand, and by sending the company word, that that day the whole Counsell board had given their assent thereunto, wth was the first tyme the Company understood that they had heard of y^e matter. The Contract thus concluded, a great Tempest arose by what secrett cause & underhand procurement, wee may guess, but not affirm. But in a Court of the Company upon the 4th of December following, one Mr. Wrote Cosen Germane to the Earle of Middlesex, (discontent^d also that he was passed over in the election of Officers) did wth a passionate & blasting speech, inveigh agaynst the Contract, & the managing thereof wth sallary; agaynst the proceeding in the Treaty of it, as that it had bin unduly and unjustly carried, that men had bin overawed, and that it had bin procured to private ends. Whereof not being able to make any shadowe of prooffe & persisting still in his violent and contemptuous Demeand^e upon a full hearinge, he was thrust out of the Companie, and upon that ground joyned himself to S^r Thomas Smith, Alderman Johnson & that opposite party & drew also with him Two more of his Companions, and so now made shewe of a formall party agaynst the Company. But for all this, wee still mayntayned the reputacon of o^r proceedings. The next of o^r troubles in order, (proceeding from what secrett cause, that wth follows will give yo^r Lop^e more reason of conjecture, then wee will now affirme) was, that this opposite party then attayned to about—25—in nomber, had some secrett encouragen^t or other given them, directly to appugne the Contract; wth as is before declared was so formally made: and gave some reasons in writing agaynst it to the then Lord Trer; who receaving them, gave the company first suspicion of double intelligence & indirectness in his dealing^e.

But howsoever, the Earle of Southampton, the Lo: Cavendish, S^r Edwin Sandis, & some other, being called by the Earle of Middlesex to his Chamber at Whitehall, then thought, that they had given such answers to them, as that his Lop^e rested satisfied. But his Lop^e after, speaking wth y^e Earle: of Southampton and the rest before name^d, told them that they that had opposed, were a clamorous Company, and that to make the business goe

current, it were best that their objections and o^r answers should be heard at the Counsell table. And upon hearing thereof, their accusacous, and o^r answers, the Earle of Middlesex, who assumed the chief knowledge & care of that business, did in y^e close of that hearing use the words formerly rehearsed. Of the leand carriage in former tymes, and of the latter in a manner miraculous recoverie.

A greater testimony of o^r integritie & their guilt, could not be given. But as the sequall will manifest, & as wee have since found in other of his Lop^s proceedings, he meant to loose nothing by those words. Howsoever it was, & whatsoever wee suspect, not intending now to dive into those miseries, from that day forward, to y^e Conclusion of this business he professedly made himselfe the patron to that side, & enemy to the company, for wth wee appeal to yo^r Lop^s better knowledge. Afterwards about that Contract were divers meetings before the Lords, where it was principally inveighed agaynst by S^r Nathaniell Rich; speaking agaynst the injustice & unconscionableness of it; protesting that he had ever sold his Tobacco for ffive shillings a pound one wth another, and that every pound cost him Two shillings a pound one wth another, and that every pound cost him Two shillings six pence in y^e Sumer Islands: and now to give a Third away to the King & peradventure y^e price not to be much higher was agaynst justice & conscience. And here by the way, wee humbly crave leave to say thus much, that his conscience now serves him in this new Contract, to force y^e Planter & the Adventurer to sell their Tobacco, the best sort 2^s 4^d and the second sort at sixteene pence a pound. But upon that former Demonstrative Argument of his, though it were so fully answered as nothing could be more, yet the Earle of Middlesex took his ground to condemn the contract he had signed, as hurtfull to the Plantacons; and to commaund the companies to thinke of propounding a better, & to bring it in writing wth in Two daies: w^{ch} was accordingly done: and therein shewed that y^e hardnesse of this contract, was not by the Companies proposition, but by his Lop^s pressure. And therefore urged what had bin offered to his Lop^s at the first; that his Matie would be contented wth a fourth, & not require a third of o^r Tobacco. To w^{ch} in great scorne his Lop^s replied that take Two pence out of six pence their would

remayne a Groat. But the last Parliament saw that his best invention, was by adding—3℥ to 40^s—to make up ffive pounds. But in conclusion that Contract was dissolved, & a commaund laid upon the Companies by his Lop^t procurement to bring all o^r Tobaccoes in, under colour that Three pence custom was abated; whereas in truth by his admitting also of all Spanish Tobacco, upon S^r John Wolslenholmes motion wee could not vent a third part of it here: and so by computacon, in respect of the quantity unvented, wee paid neere doouble as much as before: wth was his only favour to y^e Plantations.

The contract thus dissolved * as publiquely damageable by the encouragement of the Earle of Middlesex, & industry of y^e ffive and twenty before menconed, (that so place might be made for this latter contract, so privately beneficiall, for so by the effect it hath appeared): the Governm^t was now likewise to be questioned and altered, or else they compassed not their ends. Which to bring about, these two wayes were used. First a peticon was delivered to his Ma^y by Alderman Johnson, in the name of the rest, inveighing against the latter Governm^t & magnifying the former. And in the end, desiring a commission to examine the proceedings of those last fflower.

This peticon was by the Company at large answered to his Ma^{ty} & wee joyned in y^e point of having o^r actions examined by the Comission: but wth all thought it just, & desired, that their Twelve years Governm^t before might be also examined: wth accordingly was ordered. The second means used by them, was to rayse up Captayne Butler, who hasting from the Summer Islands to Virginia, where he stayed but a few weeks, upon his returne delivered to his Ma^{ty} a paper called The unmasking of Virginia.† The substance of wth was first the dispraise of the country and making of it an unfit place for any English Colony; & next scandalizing the Governm^t of it, both here, & there. What concerned the colonie, was proved to be false by fforty witnesses: who chaunced to be in Towne then, & had bin often &

* For a more detailed account of this contract see Virginia Historical Society Collections: History of London Company, Vol. II.

† See Virginia Historical Society Collections, History of the London Company, Vol. II.

long in y^e Colonie: And was endeavoured to be mayntayned by him by two meanes only: one by practizing to gett the hands of Two men unto it, to whome he owed money & deferred payment: who when they heard it read in Co^rt, protested that they never saw what they sett their hands to, and that Capt: Butler told them it was a Paper, w^{ch} he would shew the King for the good of the Plantation: and desired y^e companies pardon; for whatever was there said was false. Secondly, he would made it to have bin better believed, by a forged L[ett]re w^{ch} hee brought to Sr. John Burchile from his daughter Mrs. Whittakers: who knew it was not her hand. This was alledgd at y^e counsell Table: and Capt: Butler answered that she was sick & dictated it to him, and he wrote it. But since, both shee & her husband being come over, they bothe forswere it, & say it was none of her doing nor direction. But howsoever, by these meanes the opposite party thus farre obteyned their ends, that by the Defamation, and this trouble ensuinge, a very great number that intended to have gone over, were discouraged. But yet for all this, the Companie knewe their cause to be so just and justifiable, that they did not abandon it: but prepared themselves to give divers charges before y^e commission^r, agaynst divers of y^e partie opposite; & professed themselves ready to make their owne defence whensoever they should be charged. But whilst the comission sate farther to discourage us, first all o^r Bookes, & after y^e minutes of them were sent far away from us; that none of the L^res that then came from Virginia were to be seene by us, being all seized on by the Comission^r. But touching the rest of y^e caridge of that comission, because it was at large delivered in Parliment, & offered to be proved, if further proceedinge in that businesse had not bin forborne upon a L^re written to y^e house from his Ma^{ty} wee will now to yo^r Lo^{ps} say only this: That whatsover was brought by us concerninge accounts, depredacon, misgovernement, & divers other crimes, agaynst perticuler persons, was by this comission, (especially directed by the Earle of Midd.) shuffled of for all the tyme, till the comission was even at y^e end nothing done upon them. And on y^e contrary, whatsoever could be gathered out of the fragments of L^res from discontented persons in Virginia concerning either the place, or governem^t was diligently collected by them, and received by the Earle of Mid-

dlesex as a great testimony agaynst us ; and would not take those other L'res for proof w^{ch} wee ever guided o' selves by, and came from the Governour and counsell there. And lastly some three dayes before their Comission ended, they putt us on a sodayne to answer to—39—Articles, or else they would take them proconfesso. This they thought for us impossible to doe. But wee deceived their expectacon ; and they could not find in the least perticuler, any just ground to make any report agaynst us.

By all this the Earle of Middlesex and that partie, perceiving y^e companie would not be beaten off a good cause; there was a practise to try whether wee had rather part from the business, or from our mony. Where upon wee were called before the Counsell agayne, and there that side as compassionate affecters of the Plantation, urged the want of corne & other necessaries there, and that they were like to perish for want of provisions. The Earle of Midd replied, it was a matter of so great importance, & concerned the lives of so many of the King's subjects, that if y^e Companie would not presently take order for sending supplies, the state would call in their Pattent. Whereupon y^e Companie conceaving that if they did send supplies, their Pattent would not be taken from them, under writt to a Roule (though they knewe y^e necessitie was nothing so great) foure thousand and odd pounds, w^{ch} was paid and sent: and those Gentlemen that before seemed so zealous, subscribed Twelve pounds, and paid it not. Upon w^{ch} comparison wee leave it to yo^r Lop^s to judge w^{ch} party was the true father of this child. This then not succeeding according to their desires, certayne obscure persons were found out by the Earle of Midd, to be sent into Virginia, as Comission^{rs} for these two ends, as wee have since found. First to sifte out what they could agaynst the forme of o^r Governm^t here & there: & next to persuade the people to become Peticon^{rs} to his Ma^{tie} for a newe W^{ch} succeeded not according to their expectacon. For by the Colonies Peticons, answeres to those Papers that had bin delivered agaynst them, & divers other remonstrances to his Ma^{ty} from a Generall Assembly then, they shewed the misery wherein they lived, or rather languished in S^r Thomas Smithe's tyme; and their happy estate in this latter Government: concludinge that if his Ma^{ty} intended to alter the

Government, & put it into the former hands, their humble suite to him was; That Comission^{rs} might be sent over to another purpose before declared. The writings themselves will manifest this more at large. These comissioners thus sent to Virginia, the Earle of Midd & the rest were not idle in further distractinge the Companie, to give their assent for surrendring their Pattent, & altringe the forme of Governm^t; & a newe one was proposed. W^{ch} according to order they takinge into consideracon, w^{ch} duetie refused: rendring also in writing the reasons of their refusall. Whereupon a Quo Warranto was directed by the Earle of Midd suggestion for the calling in of their Pattent.

In the meanetime, to affright men, both from cominge to & much more from speaking in Courts, mens wordes were then carped at & complayned of: and their persons by the Earle of Midd prosecution, were upon quick hearinge sent to prison.

Yet for all this the Comp^y stood to their owne Justificacon, & defence of their Pattent. Now Mr. Atturney, according to y^e duty of his place & instructions given him, urged y^e misgovernem^t of the Companie, & consequently y^e ruine of the Plantation. To w^{ch} point we were willinge to joyne issue. But afterwards in o^r reply to his pleadinge wthout further enquiry of the former allegation, advantage was taken upon o^r mispleading, & in fine wthout any farther ground that wee knowe of, the Patent was Trinity terme following, condemned: But for anything that we have yet seene, no judgment entered. Yo^r Lop^s by the perticulers before related do see by what courses wee were reduced to this extremitie. One thinge yet wee thinke most necessary to adde; It hath bin said by many, & perticulerly by some principall persons of the opposite partie, that y^e dissolutions of these Plantacons was part of the Count of Gondomars Instructions. And certaynely wee found his activenes in negotiatinge here, such, that in bringing about his owne ends, he could create here instruments of o^r selves agaynst our selves. Wee say not that he & other Spanish Ministers practised thus amongst us. These two only perticulers, wee crave leave to offer unto yo^r Lop^s Judgem^t. When S^r Samuell Argoll some six or seaven yeares since, was vehemently, complayned agaynst, by Padre Maestro, and the Spanish secretarie then here for Piracie, agynst the Kinge of Spaines subjects in y^e West Indies he no sooner came

home from Virginia, & appeared an opposite to y^e present Company, who questioned him for divers misdemeanors and amongst others for this; but the heate of the Spanish accusacon did presently cease. Our second observacon is this, yo^r Lop^e cannot but remember, wth what extreame earnestnes the Count of Gondomar and afterwards Don Carlodi Coloma,* inveighed agaynst Capt. Butler whilst he was in Summer Islands about y^e Spanish wrack. And so violent were they about it that y^e Lo: Stewart, now wth God, and the Lo: Chamberlaine, were entreated to come on purpose to the Sumer Islands company, about that business. And a comission was directed by the Lords of the Counsell, to examine the truth of the cause in y^e Sumer Islands. Wth Captain Butler having been forewarned of by some friends of his left his Governem^t before he had leave, and before the arrivall of the Comission: Having first there endeavoured to alienate the minds of the people from the forme of Governem^t here. But he was no sooner come home, & delivered to his Ma^{ty} The unmasking of Virginia before spoken of, but there was an end of Don Carlo Di Colomars prosecution. Wee have related the particulars; & make no application.

As for y^e late Comission, wth hath succeeded in y^e place of the Companies; if wee might have seen the business seriously taken into the Grave cares & prosecuted wth the Noble paynes of those most hono^{ble} personages, whose names are inserted in the sayd Comission: wee should have hoped to have seene some good effect befitting their great & eminent worth. But whilst their more weighty affairs have hindered them the business hath bin principally carried only by those persons that were the chiefe opposers of the late Comp: ffor although there be named divers worthy Gentlemen, & Citizens likewise, in y^e Comission: yet as wee understand, the most of them have forborne altogether to appeare at any meeting. Wherefore when either in o^r wordes or thoughts, wee complayne of any proceedings of the late Comission wee alwayes except both all y^e persons of Honour & indifferency: and only intend those others, whose stomacks were so great, as they durst undertake the overthrowinge of the late Companie; and yet their harts so narrow, as they have not

* Colonna ?

dared to adventure all of them during these Nyne moneths, so far as wee can learne, one five pounds to y^e advancem^t or subsistence of the Plantation.

By the publique L^res of y^e Governour, delivered them in July last, they understood of y^e extreame want of Powder in y^e Colonie: and were often told from us of the great danger that might ensue thereby: Yet did they neglect y^e sending of any in the shipp or in y^e second: but about Christmas, & since in March they have sent a small quantitie, obteyned by his late Ma^{ty} guifts (as wee heare) out of the Tower.

This did not y^e late Company: who upon notice of y^e massacre, did by the first ship send 42 Barrels of Powder; for halfe whereof the Officers having disturbed the money, are yet unsatisfied.

Whereas all the fflower shippes now sent, were prepared in y^e Comp^{ny} tyme; these last Comissioners callinge in the Comissions graunted them by the late Company, made them take new as from themselves that so they might glory upon anothers foundacon. But whilst they thus hunted after windy ambition, hindringe the two first shippes from takinge a faire winde; they have bin the causes of all the lamentable calamities & distresses, w^{ch} in so long voyages must needs befall them.

The principal scope of his late Ma^{ty} comission to them, as wee understand was that they should finde a better forme of Governem^t for the Plantacons advancement; and therein is especially promised the conservacon of every mans right. Intentions worthy the wisdom & Justice of so great a Prince. But as farr as wee can understand these comissioners have done nothing towards either of these ends: But quite contrary to y^e second.

By an unknown contract, w^{ch} themselves will not so much as declare much less are able to defend; they have fought to have amongst themselves, twice as much upon every mans goods, as they will leave to the Owner thereof. And although they say only three of them are Contractors yet wee cannot believe it, having observed the ends of some of them for many years, to have constantly bin bent to the compassinge of some such advantage, as they have now by this bargayne gayned. It is constantly reported that they have liberally given that w^{ch} was not their owne, to those who have no right thereto; as namely the

Colonies kine to S'r Samuell Argoll & Mr. Woodall surgeon to S'r Thomas Smith. But this & all their other proceedings are kept in great secrett : wth breeds suspicon that they have not bin good : else why doe they fly the Light ? This is cleane contrary to y^e use of the late Company : who did all things in publike wth was a cause of as great satisfacon, as this of distaste.

And as in this, so in all other thinges do they proceed cleane contrary to all right in o^r understandinge. They publish their Intention of employinge S'r Samuell Argoll & Captaine Butler for Governours agayne in the Plantations agaynst whome the Colony hath professed open enmity. How they should make y^e Colony encrease by these means, wth will bring home most of them that are there already wee cannot imagine.

Neither are S'r Thomas Smith nor Alderman Johnson fitt or likely men to reunite the late Companie, or to drawe them onto any thing for y^e Plantations advancement, since as the whole world knowes the late Company have not only allwayes conceaved extreemly ill of them but in the yeare 1623 putt up publike accusations agaynst them, of very dangerous Consequence. As for y^e Colony yo^r Lop^s have formerly heard their like opinions.

Nor cann y^e late Companie conceive Mr. Wrote, a fitt Instrum^t to sett forward the business ; whome they thought unworthy to bee of their Societie.

Nor that those who out of pretence for New Englands good, have truly wronged Virginia should now runne right way for the behalfe thereof. Nor in sum that those who have little or no interest in y^e Plantation should be so sencible of it as were fitt. In wth number wee accompte S'r Nathaniell Rich ; who to our knowledge hath not adventured any thinge for the good thereof but contrary wise hath been so perpetuall a hinderer & disturber of the Action, that the body of the Company, addressed a Peticon of Complaine, to the last Parliament, cravinge justice against him, for his injurious & most unworthy practices.

Nor that they that meane not to adventure anythinge, will be able to persuade others to doe that wth themselves forbear.

Nor that ever they will do y^e adventurers of y^e late Companie, right, in matters of their Estates, that have so violently endeavoured to do them wrong in their Honors Reputacons, having

intended as themselves wright, a Reformacon & correction of the Original court bookes of y^e late Companie then possessed by them, if they could have gott into their hands certayne copies of them wth Mr. Necholas Ferrar late Deputy at his owne charges caused to be transcrib^d. But before there severe order came to him he had delivered his copys to the Earle of Southampton: who sent the comissioners word, that he would as soone part wth the evidences of his Lord, as wth the said Copies, being the evidence of his honour in that Service: So by this meanes have the Original Court bookes yet escaped purging: And wth all duety wee humbly beseech yo^r Lop^s that they may hereafter be protected from it: And that howsoever yo^r Lop^s shall please for the future to dispose of the Companie, that the records of their past Actions may not be corrupted & falsified.

As for their resolucons of ordering the businiss, wee cannot say anythinge, because wee heare nothing, and wee doubt they meane nothings ffor all that wee heare tends only to nothing. They dislike the sending of numbers of men. They professe the reducinge of all trading to a Joynt stock or Magazine: wth courses in o^r judgements tend directly to the subersion of the Plantation at least to y^e appropriatinge of it to themselves which to have bin the mayne end of some of them, y^e late Counsell & Companie for Virginia, have upon strong presumption bin long agoe induced to believe: and therefore have now thought themselves bound to declare it, that y^r Lop^s in yo^r Noble wisdomes may make such due prevencon as shall be fitt: humbly beseechinge, that this perticular examinacon of their Actions & persons, may not be interpreted to proceed from private spleene, but only from a sincere desire of y^e Plantations advancement.

Wee doubt and feare, that we have weareed yo^r Lop^s wth y^e large relation of the proceedings of these men, wee meane the partie opposite to the late Companie & Colonie. Whereby as they have laid all kind of Disreputacon upon the Action, and made that in y^e estimacon of the world vilde & contemptible, wth before was held worthy, beneficiall, & honourable: so by their manifold & incessant practises, to wrong & oppress, to defame & disgrace, by unjust and unworthy aspirions, & contumelies, (and that by word & writing over all y^e kingdome) the innocency of men zealous for the good of Virginia, for no other

fault save only for their love of right & justice ; they have bredd a great disheartninge & discouragem^t of many the most forward & most constant adventurers whose industry also & labours bin of great use to y^e Plantation, All wth being wearied out wth their mallice & injuries and loath to spend more of their lives in so unthankfull a service, are humble suitors unto yo^r Lo^m, that they may be spared from all farther employment in this Action. And that if these men will now at length apply themselves seriously to y^e busines of y^e Colonies both wth their paynes & purses, wth they have hitherto spared and undertake, (wth they owe to his Ma^{ty} & y^e State) the repairinge those ruynes of the Plantation, whereof they have bin the chiefe cause and instruments: the Government thereof may, as it is, be continued in them, giving fitt securitie for so great a debt & duty. For wee protest unto yo^r Lo^m upon our truth & fidelitie that if his Ma^{ty} may be served, the Colony secured & cherished, justice duly administred, mens rights & states preserved, innocent men not oppressed, and malefactors not protected & rewarded: wee shall be so farr from envying the glory of their Governement, that extinguishinge for ever the memory of all their former inguries, wee will be ready to doe them all fitt service that they shall require.

By this wth hath bin said, yo^r Lo^m will easily perceave that obedience to yo^r commands, and a desire that y^e Plantation (if possibly) may yet subsist, is y^e end of our labour : not that wee intend or have any enclinacon to encomber ourselves, wth a busines so vexed & perplexed ; but only at what may bee to the good of it, though to o^r owne trouble. But if yo^r Lo^m in yo^r wisdomes, shall not thinke it fitt to putt it into their hands : or that they wth such caution as may be reasonably desired, shall not adventure or undertake it : We then will notwithstandinge of o^r duty to to his Ma^{ty} and the state, in respect of our ancient & present love to y^e Plantation and for the speciall benefitt that may succeed to this Kingdome by such a place of seecuretie & retreate in America ; (the want whereof, as by experience in many particulars may be demonstrated, was in the late Queenes tyme the overthrow of most of o^r voyages sett out for the West Indies) for these reasons wee say, wee shall endeavour o^r best, but dare not undertake, to restore what these have almost destroyed. But yet that, upon such condicons, as wee hold most necessary

for the effecting of so great a worke, that is, some impediments to be removed & some encouragements to be given to it.

It hath bin a great error for any to imagine that the persons of these men, who have of late thus opposed the Companie, were either in number considerable, or in adventure to be valued any way at all, to further or advance the prosperity of the Plantation: but rather on the contrary, great impediments to the faire proceeding of it: and therefore where as the late Companie, have by the unjust practises of divers of these, and some of them unworthy persons, suffered so much in reputation of their persons & actions as well by private calumny, as also in some publique proceedings agaynst them: Wee shall for that cause most humbly desire that y^e actions & passages of o^r late Governem^t may be brought to an upright examinacon before this Hono^{ble} Board: and that being found, as we assure ourselves they will, to have bin most just, & ever tending to y^e Plantations advancement wee may then have just reparacon from those by whome we & the Plantation itselfe have bin so much wronged: That the like dangers may be hereafter prevented by discouraging others from the same attempts; and that wee the late Company, being restored to the integritie of o^r reputacons may bee the better enabled to goe on wth ye Action, for ye tyme to come.

Nowe in regard of the extreame distresse & poverty, that by these late practices y^e Colony is reduced unto; and by reason of y^e disability, & unwillingnesse of Adventurers being so extreamely discouraged and who have already wasted a great part of their tyme, and no small part of their estates, in supporting this Plantation: as also in regard of the great danger that may be feared from a forraigne enemy: wee shall most humbly desire, that his Ma^{ty} would be pleased, to yield unto the Plantation, some such moderate supply as after the late Massacre was promised in the last Kings tyme; namely, the settinge out of ffoure hundred able men, at the voluntary charges of the severall shiers of this Kingdome, proportionably to be rated. And besids, for y^e present pressing necessitie, to give us some such reasonable proportion of Munition & powder, as in regard of these tymes may be thought convenient.

These difficulties & impediments being eased or remoded, wee

come now in the last place to present our humble opinions, touching the best forme of Governement to be here established for Virginia, wherein wee humbly offer to yo^r Lop^s consideracon, whither it may not seeme requisite, that a Companie be agayne erected of adventurers & Planters for the governinge & managinge of the affairs of that Plantation.

In the wayinge whereof, wee have divided our thoughts into these three branches; If his Ma^{tie} should be pleased himselfe to undertake the Plantation, and the charge thereof to be defrayed out of his Royall Treasure, or otherwise at the Generall charge of the Kingdome: Wee hold it out of question, that the fittest Governement of the Action, were by a select Counsell of Hono^{ble} & able persons, to be ordayned and oppoynted by his Ma^{tie}, as is used in like cases in some forrayne dominions.

But if the burden & charge must be borne by the Adventurers and Planters themselves: Wee hold it necessary in that case, that y^e Governm^t thereof be also comended by his Ma^{ty} to them, incorporated as before into a Legall Companie: yet so, as to be assisted and advised by a counsell to be appoynted by his Ma^{ty} and bound by oath unto him; and they also to have reference in all causes of greatest and extraordinary importance, to his Ma^{tie} himselfe, or to the Lordes of his privy Counsell, from thense to take resolucon & direction, as was formerly instituted, and in the latter times also practised. And this is agreeable to ye comon usage of the world, and in perticuler of this Nation: experience having manifested, that men are difficultly drawne to adventure any great matter in those Actions, in y^e ordering of w^{ch} they have no voice or interest.

For as for this late third way of Governement, by an absolute comission, disprovided of other meanes, save what should be rayased from y^e Plantacon experience hath taught that it cann worke no great effect, the hearts of all the adventurers being turned away from the action & y^e Plant^{is} there, in great part, upon the bare feare & fore running rumour of this comission, resolving to come away & desert the Plantation. Howbeit if such of y^e comissioners themselves, as formerly enjoyed or partaked, & now affected this Governement, would have opened their owne purses as was promised to his late Ma^{ty} for the support of the Plantation; it might have bin continued on for some

longer tyme: Whereas now all men avoiding to adventure under them & they not disposed to give example in that kind, but rather to agitate and frame contracts, whereby themselves might growe rich, though wth the penury & consumption of the Generall Plantacon: the Colonie there doth wast by hasty degrees, and will suddaynly come to nothing if speedy remedy be not provided. Now if yo^r Lo^{ps} shall thinke goode to approve of o^r humble opinion (w^{ch} wee in all duty submit into y^r Lop^s maturer judgments) and that y^e Companie be re-erected by his Ma^{ty} L^{res} pattents and under his great seale, as it formerly was: then doe wee farther presume to offer yo^r Lo^{ps} consideracon, these few perticulers here ensuinge.

First we hold it requisite; that this new Pattent should containe y^e same priviledges and Libties, the like orders and directions, as were in the former: yet wth this, that if there appeare in y^e former graunts, anythinge inconvenient or prejudiciall to his Ma^{ty}, it be reformed.

Secondly in regard y^e Colonie, taking all ill plight at y^e beginning, doth still runne on in plying only Tobacco, notwthstanding y^e great charges w^{ch} the Companie was at, in the tyme of the latter Governement, for y^e setting up of better comodities, as silke, Wynes, Iron, materialls for shipping, and others: that his Ma^{ty} would be graciously pleased, continuing the custome upon Tobacco, to remitt the custome of all other comodities for certain years; w^{ch} suppose would be a matter of very small losse to his Ma^{ty}, abundantly to be recompenced in y^e years ensuinge; and yet a great means to drawe the Colony to those better courses, w^{ch} no orders of the Companie could yet ever effect: and likewise; that y^e custom^{rs} bestrayned from extorting Custome of goods transported thither for mens perticular provisions, and not by way of Merchandize, as the Law requires.

Thirdly, that in this pattent there be declared a nullitie of all the proceedings of the late comissioners: having bin upon just cause soe extreemely distastfull both to the Adventurers and Planters.

Fourthly and lastly it is desired, that his Ma^{ty} would be Graciously pleased that this new Pattent be confirmed by Act of Parliament, if y^e Lords and comons wth all so thinke fitt. And this wee hold requisite for two important reasons:

First wee suppose it will greatly encourage the Adventurers and Planters by giving them assurance of y^e continuance of this Plantacon, and of their severall estates and possessions in y^e same: the jealousy wth hath bin bred by the late Quo Warranto, being not otherwise possibly to be removed. And this encouragement would be greatly encreased, if by his Ma^{ty} Royal authoritie, wth consent of Parliament, both Plantacons might be annexed to y^e Imperial Crowne of this Realms; according unto y^e comendable pollicie of some other great kingdomes.

Secondly by meanes of this act, the New Company may be inabled to recover y^e Debts due to y^e former Company, either upon accompt or otherwise; as also to have restitucon by a legall course; for the great depredacons done upon y^e Colonie. A matter tending greatly to the support of y^e Plantation, as also to y^e reestablishing of y^e good Government of y^e same. And this is our humble answeare unto your Lo^{ps} first proposicon.

For the second consideracon lefte unto us by y^r Lo^{ps} namely concerning an offer to be made for such a contract touchinge Tobacco, wth his Ma^{ty}, as may both uphould his Revenue, and not bee grievous to the Plantations wee say this, That unless in yo^r lo^{rps} wisdomes those conditions by us formerly proupounded be yeilded unto, wee cannot treate of this busines; for wee come not as Contractors to make a bargaine for our owne private lucre, but wth an ey[e] only to the publique benefitt of the Plantations, as farr as it may be without prejudice of his Ma^{ty} proffitt; wthout any reservation of secretts, as in the last Contract were pretended: ffor in a publique bargaine, betwixt his Ma^{ty} and his people, the most cleere, publique, and direct proceedings will ever receive the best interpretation.

Wee cannot in our understandinge conceive that any proffer though never soe greate, cann be for his Ma^{ty}s advantage, but rather the contrary, if it is so presse uppon the Plantation, that the Planter shall not be able to live with comfort by his labour; and so others be discouraged from further proceedings. A greate revenue peradventure mayd be rayseed for a yeare or two, but if the Plantation decaye the revenue cannot last. And thus it had beene, if last contract had gon on; though the immense gayne had come to the contractors themselves and not to his Ma^{ty}. But nowe for ourselves, it is true, a contract was formerly

treated of betwixt the Company, and the Earle of Middlesex, but as hath been before read unto yo^r lo^r^{pp^s} though it were then extreame hard yett itt is nowe impossible, by reason of the worst case the Plantation stands in nowe, then it did then, principally occasioned by the discouragements given to the Company. Wee acknowledge unto yo^r lo^r^{pp^s}, the banishinge of all Spanish Tobacco, will much redonnd to the Plantations benifitt, and his Ma^{ty} loss, but withall, wee conceive that if there were no Tobacco in neither of their Plantations, it were better for his Ma^{ty} to loose seaven or eight thousand pound a year Custome, by the not importation of Spanish Tobacco then to hinder importation of 10,000 £ a year in money w^{ch} this comodity did, as was cleerely manifested to the two last Parliaments.

However wee intend not uppon the condicons in the former paper mentioned; to make a meane and contemptible offer to his Ma^{ty} but such a one, as wee conceive in truth for the King's proffit, to befall as large, and more certayne then this last; and more then at any tyme really came into the Exchequor by this comoditie. Profferinge soe much, as wee think the Plantacons can possibly beare, and subsist and goinge as high nowe at first, as wee shall ever bee drawne to yield unto. And doubt not, but that yieldinge unto his Ma^{ty} after the first yeare, 10,000 £ certayne, and 3,000 £ a year more by custome, in all 13,000 £ per Anum, it will be thought more then sufficient from these nowe languishinge Plantations, ffor in this bargaine the Summer Ilands as well as Virginia are understood to be comprehended. And so wee are confident, that wee have given yo^r Lo^r^{pp^s} full satisfaction, to this second proposition, namely, concerninge the offer for such a contract to be made wth his Ma^{ty} touchinge Tobacco, as maye both uphould his former revenue, and not be grievous to the Plantations. The perticulers followe.

That the sole Importation of Tobacco, into the Realmes of England and Ireland, be grannted by his Ma^{ty} Letters Patents under his greate seale, to the Companies for Virginia and the Sumer Ilands.

That his Ma^{ty} by Proclamation inhibite all others under payne of confiscation of their Tobacco, and his Ma^{ty} highe displeasure.

That likewise the plantinge of Tobacco in England and

Ireland be forbidden by the saide Proclamation under a grievous penalty.

In consideracon whereof the Adventurers, and Planters of both collonies will be content, that a fourth parte of their Tobacco (w^{ch} shall yearely come home) shall be sett aside and soald for publique uses, and out of y^e proceed thereof shall be.

First, payd and discharged the custome due uppon the whole Quantitie (w^{ch} shall be brought home) w^{ch} Custome, shal be after the rate of III^d p. pound, as nowe it is rated and wil be y^e full custome that can be requyred although the Tobacco should be sould after the rate of 6^s p. pound.

Secondly, out of the proceed of the saide fourth parte, there shal be farther yearely payd unto his Ma^{ty} by waye of thankfull retribution for his gracious favors, 10,000 £.

The whole remaynder of the proceed of this fourth parte of Tobacco, shal be ffirst for the defraringe of the chardges of menadginge and ordninge this contract: accordinge as the company shall thinck good to proportion itt. And the surplus, whatever it bee shall be bestowed (in such manner as the companies shall finde most fitt) for the supporte & advancement of the Plantations. And because it is doubted, that in regard of many difficulties, w^{ch} are alwaies in the settlinge of newe bussinesses, the proceed of the fourth parte, for y^e first yeare may not amount to soe much as the proporcons above. It is therefore desired, that for y^e first yeare his Ma^{ty} would be graciously to allowe out of y^e proceed of y^e saide fourth parte.

First as much as shall defraye the custome there 6000£ more towards the uses above expressed, and then to accept of the remayder that shall be, although it should not prove 10000£. But in case it should prove more his Matie to have only 10000£ and y^e rest to be bestowed as is afore expressed.

That the Tobacco to be brought in be consigned in one hand, viz^t of such Officers as y^e saide company shall appoynt. And that the said Company have the sole mending of the said sale of Tobaccoe.

That the Adventurers of each Plantation shall not be bound to bring in any greate Quantities of Tobacco then themselves shall thinck good.

It is lykewise desired that for recovery of all such debts as shall from tyme to tyme growe due to y^e Companies by occasion of this Contract, the saide debts may be assigned over unto the Kinge, when & soe often as need shall require.

They likewise desire that there may be inserted in the contract a Graunt & Covenante from his Ma^{tie} against the grauntinge of lycences to Retaylers of Tobacco: soe that y^e sale thereof may remayne free as hitherto it hath done.

That his Ma^{tie} be pleased to take a strickt course for the preventinge of all undue bringinge in of Tobacco by other meanes.

That all confiscations and other penalties uppon this Contract be devided into three parts: The one parte to his Ma^{ties} use, the other to y^e Companies, the third to the Informers.
